

HOUSE No. 4366

Message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill exempting the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from the civil service law and section 11 of chapter 142 of the General Laws (House, No. 3848). July 31, 2012.

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

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July 31, 2012.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment House Bill No. 3848, "An Act Exempting the Positions of Plumbing Inspector and Gas Fitting Inspector in the City of Newburyport from the Civil Service Law and Section 11 of Chapter 142 of the General Laws."

This legislation would exempt plumbing and gas fitting inspectors in the City of Newburyport from the civil service law and from section 11 of chapter 142 of the general laws. The civil service exemption is a matter appropriately determined at the local level and has no public safety or other negative implications. As such, I am supportive of this aspect of the bill. The section 11 exemption, however, has broader, potentially problematic public safety implications.

Section 11 of chapter 142 requires that all plumbing and gas fitting inspectors be licensed and that they have five years of practical experience in their profession to qualify for appointment as an inspector. Further, this section requires inspectors to inspect all plumbing or gas fitting in the process of construction, alteration or repair for permitted projects. Inspectors are required to report discovered violations of any law, ordinance, by-law, rule or regulation governing plumbing or gas fitting. Exempting plumbing and gas fitting inspectors from this section could result in unlicensed and unqualified individuals performing functions that have public safety implications.

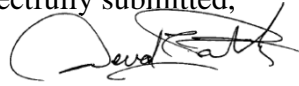
Accordingly, I recommend that House Bill No. 3848 be amended as follows:

In the bill Title, by striking out the words “and section 11 of chapter 142 of the general laws”.

In Section 1, by striking out the words “and section 11 of chapter 142 of the general laws”.

By striking Section 3 in its entirety.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,
Governor.